

The Regents of the University of California

**COMMITTEE ON OVERSIGHT OF THE  
DEPARTMENT OF ENERGY LABORATORIES**

November 13, 2002

The Committee on Oversight of the Department of Energy Laboratories met on the above date at UCSF–Laurel Heights, San Francisco.

Members present: Regents Atkinson, Blum, Davies, Marcus, Montoya, Moores, Preuss, and Terrazas; Advisory member Bodine

In attendance: Regents Connerly, Hopkinson, Johnson, Ligot-Gordon, and Sainick, Regents-designate Murray and Siegler, Faculty Representative Pitts, Secretary Trivette, Associate Secretary Shaw, General Counsel Holst, Treasurer Russ, Provost King, Senior Vice President Mullinix, Vice Presidents Broome, Drake, Gurtner, and McTague, Chancellors Córdova, Dynes, Tomlinson-Keasey, and Vanderhoef, and Recording Secretary Bryan

The meeting convened at 10:20 a.m. with Committee Chair Preuss presiding.

1. **APPROVAL OF MINUTES**

Upon motion duly made and seconded, the minutes of the meeting of September 18, 2002 were approved.

2. **AUTHORIZATION TO APPROVE AND EXECUTE MODIFICATIONS TO THE DEPARTMENT OF ENERGY CONTRACTS FOR LAWRENCE LIVERMORE NATIONAL LABORATORY AND LOS ALAMOS NATIONAL LABORATORY TO AMEND CLAUSES**

The President recommended that he be authorized to approve and execute a modification to the provisions of contracts W-7405-ENG-36 and W-7405-ENG-48 in order to incorporate revisions to the following clauses:

H.007 PERFORMANCE-BASED MANAGEMENT  
H.014 PROGRAM PERFORMANCE FEE

It was recalled that the Department of Energy contracts for Lawrence Livermore National Laboratory and Los Alamos National Laboratory were amended on January 18, 2001, extending the term of the contracts to September 30, 2005. From time to time changes are necessary to reflect the ongoing agreement between the University and Department of Energy. The clause changes summarized below reflect the most accurate and up-to-date language agreed to between the parties.

H.007 PERFORMANCE-BASED MANAGEMENT describes the primary components for the performance-based management system for LANL and LLNL, incorporated into the contract as Appendix F, Standards of Performance. Appendix F has recently been restructured for LANL and LLNL.

H.014 PROGRAM PERFORMANCE FEE is amended to reflect the currently agreed upon total fee, fee at risk, and base fee numbers for FY 2003-05, and to revise the tables to reflect a new Appendix F structure for LANL and LLNL.

Committee Chair Preuss praised Vice President McTague for his efforts in negotiating the changes, which are significant and indicative of a high degree of cooperation among the parties involved.

Upon motion duly made and seconded, the Committee approved the President's recommendation and voted to present it to the Board.

3. **APPROVAL TO DELEGATE AUTHORITY TO THE PRESIDENT TO EXECUTE TECHNICAL AMENDMENTS TO THE DEPARTMENT OF ENERGY CONTRACTS FOR LAWRENCE BERKELEY NATIONAL LABORATORY, LAWRENCE LIVERMORE NATIONAL LABORATORY, AND LOS ALAMOS NATIONAL LABORATORY**

This item was postponed to a later date.

The meeting adjourned at 10:25 a.m.

Attest:

Secretary